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FINLAND

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		Paragraphs	Page
I.	THE LAND AND THE PEOPLE	1 - 20	2
	A. General	1 - 6	2
	B. A short history	7 - 8	2
	C. Statistical information	9	2
	D. The national languages	10 - 20	5
II.	CONSTITUTIONAL BASIS AND GENERAL POLITICAL STRUCTURE	21 - 30	6
III.	GENERAL LEGAL FRAMEWORK WITHIN WHICH HUMAN RIGHTS ARE PROTECTED	31 - 50	8
IV.	INFORMATION AND PUBLICITY	51 - 55	11

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I. THE LAND AND THE PEOPLE

A. General

1. With a total area of 338,145 km^2, Finland is the seventh largest country in Europe. The longest distance from south to north is 1,160 km and the greatest width 540 km. Its total frontier is 3,600 km in length: 2,571 km are land borders, 586 km with Sweden, 716 km with Norway, and 1,269 km with Russia. The coastline is about 1,100 km long.

2. Approximately 70 per cent of the land surface is forest, 15 per cent cultivated land, settlement or roads and 15 per cent lakes and wasteland, such as swamps, arctic fells and sand.

3. The population of Finland in 1995 was 5,116,800. The average population density is 16.8 inhabitants/km^2, which varies from 134 in the industrialized south to between 2 and 3 in the sparsely populated regions of the north.

4. Finland may be classified as a post-industrial nation, and in 1993 an estimated 9 per cent of the population derived its livelihood from agriculture, 21 per cent from manufacturing, 25 per cent from trade and 58 per cent from services.

5. To the Lutheran National Church of Finland belong 85.8 per cent of the population (4,389,163), to the Greek Orthodox Church in Finland 1.1 per cent of the population (53,883) and to the Roman Catholic Church 0.1 per cent of the population (5,916). Persons who are not members of any religious community count 12.1 per cent (619,606). There are also some other Lutheran and Orthodox communities, as well as other religious associations, with small congregations.

6. The two official languages in Finland are Finnish (92.9 per cent of the population; 4,754,787) and Swedish (5.76 per cent; 294,664).

B. A short history

7. Three important dates from the whole of Finland's political history are 1309, 1917 and 1995. In 1809, after a period of about 600 years, Finland ceased to be the easternmost part of the Kingdom of Sweden and became an autonomous grand duchy under the Russian Czar. On 6 December 1917, Parliament proclaimed Finland an independent republic. Both Swedish and Russian domination left their mark on the relations between Finland's highest organs of Government.

8. Finland became a member of the European Union in 1995.

C. Statistical information

9. The following statistical information is presented according to the consolidated guidelines for the initial part of the reports of States parties. The information has been gathered from statistics provided by Statistics Finland.

Economic data

Gross National income (Per capita income)	102 648	Fmk	(preliminary data, 1995)
	18 850	US$	(1994)
Gross domestic product	545 729 000 000	Fmk	(preliminary data, 1995)
	95 817 000 000	US$	(1994)
Inflation	1.0 per cent (1995)		
Net foreign liabilities	233 269 000 000	Fmk	(preliminary data, 1995)
Rate of unemployment	430 000 (1995)	17.2 per cent of which	
	231 000 men		
	198 000 women		
Religion	398 000 (third quarter 1996)	15.6 per cent of which	
	201 000 men		
	197 000 women		

Population by religious affiliation and sex, 1995

Lutheran National Church

Total	4 389 163	85.8 per cent
Males	2 075 925	83.3 per cent
Females	2 313 238	88.1 per cent

Greek Orthodox Church in Finland

Total	53 883	1.1 per cent
Males	24 539	1.0 per cent
Females	29 344	1.1 per cent

Roman Catholic Church in Finland

Total	5 916	0.1 per cent
Males	2 853	0.1 per cent
Females	3 063	0.1 per cent

Persons not members of any religious community

Total	619 600	12.1 per cent
Males	367 094	14.7 per cent
Females	252 506	9.6 per cent

Other religious associations are, inter alia: other Lutheran Churches, other Orthodox Churches, Jehovah's Witnesses, Free Church in Finland, Adventist Churches, Church of Jesus Christ of Latter-day Saints, Baptist congregations, Methodist Churches, Jewish congregations and Islamic congregations.

Population

Population by language at end-year 1995

Finnish	4 754 787	92.92 per cent
Swedish	294 664	5.76 per cent
Sami	1 726	0.03 per cent 1/
Other	65 649	1.28 per cent

Country of birth of the population by age and sex at end-year 1995 (main groups)

	Both sexes	Men	Women
Finland	5 010 523	2 438 229	2 572 294
Sweden	26 617	13 507	13 110
Former Soviet Union	24 142	9 068	15 074
Estonia	5 598	2 524	3 074
Somalia	3 229	1 883	1 346
United States of America	2 686	1 346	1 340
Viet Nam	2 414	1 217	1 197

Population by sex at end-year 1995

Men	2 491 701
Women	2 625 125

Life expectancy 1995

Men	72.8 years
Women	80.2 years

Infant mortality (1995)

Confinements total	64 427	
Births	63 360	
Stillbirths	293	0.46 per cent

Fertility rates (1995)

General fertility rate: 49.7/1,000 women of childbearing age.

Maternal mortality (1994): 7

1/ According to the information collected by the Sami Thing (Sami Parliament), the number in 1995 was at least 2,300 persons.

Percentage of population under 15 and over 65 years of age (1995)

under 15 years of age

Whole population	971 770
Men	496 307
Women	475 463

over 65 years of age

Whole population	732 417
Men	271 254
Women	461 163

Population in urban municipalities (1995) 3 303 800 64.6 per cent

Population in rural municipalities 1 813 100 35.4 per cent

Females per 1,000 males	in urban municipalities:	1 091
	in rural municipalities:	988
	in the whole country:	1 054

D. The national languages

10. According to the Constitution of Finland (1919/94, amended 1995/969) the national languages of the Republic are Finnish and Swedish. However, Swedish is spoken by a minority of 5.8 per cent of the population. Bilingualism and the special position of Swedish are based on the fact that Finland, until 1809, was an integral part of the Kingdom of Sweden. For the most part the Swedish-speaking population is concentrated along the southern and western coasts.

11. The rights of Finnish citizens to use their mother tongue, whether Finnish or Swedish, before courts and administrative authorities are guaranteed by the Constitution and the special Language Act (1922/148). These rights of the Finnish-speaking and the Swedish-speaking populations must be put into effect in accordance with the principle of equality. The cultural and economic needs of both of these language groups shall be met by the State in accordance with the same principles.

12. Acts of Parliament and presidential decrees, government bills to Parliament, as well as the official communications of Parliament to the Government, shall be drawn up in Finnish and Swedish.

13. According to the Language Act, a municipality is unilingual if the minority which speaks the other national language does not attain 8 per cent (or 3,000 persons). If the minority exceeds that, the municipality is bilingual. A bilingual municipality shall, however, not be declared unilingual before the minority has dropped below 6 per cent.

14. The Government maintains educational establishments of many kinds, from primary and secondary schools to various forms of professional and adult education, in both of the national languages. Some universities are to some

degree bilingual. One of them, Åbo Akademi (in Turku), has Swedish as its language of instruction. Furthermore, the Swedish-speaking minority has a number of cultural institutions of its own, e.g. a part-time television channel, a full-service radio channel and several theatres and newspapers.

15. The self-governing province of the Åland is a Swedish-speaking area. The Autonomy Act of Åland (1991/1144) contains the legal basis for exercising self-government. As a guarantee of preserving the Swedish identity of the people, a sort of regional citizenship called *hembygdsrät* was established, to which all persons who have resided in Åland for more than five years are entitled.

16. The Sami language is spoken by the Sami, considered as an indigenous people in Finland. There are approximately 6,400 Sami in the country and this represents 0.1 per cent of the total population. Most of the Samis live in Lapland in the north of Finland. There are three different Sami dialects in Finland. Most of the Samis speak Northern Sami. The other two dialects spoken in Finland are Inari Sami and Skolt Sami.

17. According to section 14, subsection 3, of the Constitution Act of Finland (969/1995) the Sami as an indigenous people, as well as the Roma and other groups, have the right to maintain and develop their own languages and cultures. In addition, the Constitution Act states that the right to use the Sami language before the authorities shall be prescribed by an Act of Parliament.

18. The Act on the Right to Use the Sami Language before the Authorities entered into force on 1 January 1992. The purpose of the Act is to guarantee the Sami the right to use their own language in contacts with the authorities as far as possible following the same principles that under the 1922 Language Act apply to the use of Finland's national languages, Finnish and Swedish.

19. According to the Parliament Act (1928/7, amend 1991/1079) the Sami shall be heard in parliamentary proceedings in matters of special consequence to them.

20. On 1 January 1996 an amendment to the Constitution Act (973/95), stating that the Sami shall be guaranteed cultural autonomy in respect of their language and culture within the Sami homelands (section 51 (a)), entered into force. In the same connection, the Decree on the Sami Parliament, originally from 1973, was given the new, higher status of an Act of Parliament. The former Sami Parliament has now been officially renamed the Sami Thing.

II. CONSTITUTIONAL BASIS AND GENERAL POLITICAL STRUCTURE

21. The most important of the four constitutional laws of Finland is the Constitution Act, of 17 July 1919, as subsequently amended. This Act determines the basic democratic principles upon which the State of Finland is organized, the fundamental rights and freedoms of all persons, and the division of legislative, executive and judicial power.

22. Ultimate power in Finland is vested in the people, who are represented by 200 members of Parliament. The Parliament Act of 13 January 1928, as

subsequently amended, specifies in detail the structure and duties of Parliament and the electoral system. The 200 members of Parliament are elected by direct vote for a period of four years. The self-governing province of the Åland Islands elects one member. At the last elections (1995) members of Parliament were elected from 10 different party lists.

23. The highest executive power is vested in the President, who is elected for a term of six years. The President is chosen by direct election, with a run-off in case no candidate wins an absolute majority on the first ballot. The formal powers vested in the President are very extensive.

24. For the general governance of the State there is a Council of State consisting of a Prime Minister and a requisite number of other Cabinet members. Cabinet members and the Council of State must enjoy the confidence of Parliament.

25. Judicial power is exercised by independent courts of law. There are three levels of court in civil and criminal cases: general courts of first instance, six courts of appeal and the Supreme Court. Within the provinces, administrative cases are tried by county administrative courts from which appeal is to the Supreme Administrative Court. Other special courts include the housing, insurance, land rights, labour, water rights and appeals, and market courts and the High Court of Impeachment.

26. In addition to the Constitutional Act and the Parliament Act, there are two Acts of 25 November 1922 which have the status of constitutional law. One concerns the right of Parliament to review the lawfulness of official actions carried out by members of the Council of State, the Chancellor and Assistant Chancellor of Justice, the Parliamentary Ombudsman and the Assistant Parliamentary Ombudsman as well as their deputies (Ministerial Responsibility Act). The other determines the composition and competence of the High Court of Impeachment (Act on the High Court of Impeachment).

27. The highest law officer is the Chancellor of Justice, who is appointed by the President. He participates at meetings of the Government and ensures that the authorities observe the law and fulfil their duties. Parliament chooses an Ombudsman, who ensures that courts and civil servants observe the law.

28. The Autonomy Act of Åland (650/51, amend. 1144/91) can be compared to the Finnish constitutional laws as regards its enactment order. The Åland Islands enjoy internationally guaranteed autonomy granted in 1921. The latest amendment to the Autonomy Act was enacted in 1991 and entered into force at the beginning of 1993. Every amendment to this Act requires the consent of the Åland Legislative Assembly.

29. In addition to the Åland Islands, Finland is divided into 11 provinces. The administration of a province is headed by a Governor who represents the State in the regions. The number of provinces will be decreased to five on 1 September 1997.

30. Provinces are divided into 452 municipalities (1997). The administration of municipalities is based on the principle of self-government

by the citizens. Municipalities play an essential role in the running of most public services. Each municipality has a representative council, the members of which are elected by the inhabitants of the respective municipality by general suffrage. The councils select municipal executive boards.

III. GENERAL LEGAL FRAMEWORK WITHIN WHICH HUMAN RIGHTS ARE PROTECTED

31. Public authorities shall secure the implementation of fundamental rights and of international human rights according to the amended Constitution Act (section 16 (a)). Amended chapter II of the Constitution Act containing the provisions of the fundamental rights entered into force on 1 August 1995.

32. In Finland domestic courts and authorities can apply provisions of international human rights instruments as domestic laws. The supervision of the observance of human rights by the public authorities is within the competence of the Parliamentary Ombudsman and the Chancellor of Justice of the Council of State. At the legislative stage it is the duty of the Parliamentary Committee for Constitutional Law to observe that legislative proposals conform to the human rights instruments.

33. An individual who claims that any of his or her human rights have been violated may appeal to a court of law. If the decision of an authority is considered to be against the human rights provisions, the decision shall be repealed. Also, the procedure of extraordinary appeal can be used.

34. The injured party is entitled to demand the payment of damages in a court according to the principles of the Act on Compensation for Damages. Also, criminal proceedings can be brought against an official who has caused damage due to his or her unlawful act or omission.

35. Citizens can also make a complaint to the Chancellor of Justice, Parliamentary Ombudsman or to a higher authority.

36. Chapter II of the Constitution Act contains the provisions of the fundamental rights. These provisions have recently been amended by an Act of Parliament (969/1995) which entered into force on 1 August 1995.

37. The reform of the legislation on fundamental rights modernized and specified the system of fundamental rights of Finland. The fundamental rights now apply to all persons under the jurisdiction of the Government of Finland, whereas the Constitution formerly only mentioned "the rights of Finnish citizens".

38. The reform was closely linked to the international human right treaties in force in Finland. The reform aimed at the convergence of the domestic system of fundamental rights with the international obligations of human rights.

39. The scope of fundamental rights regulated in the Constitution Act has also been extended to cover economic, social and cultural rights, rights relating to the individual's legal safety, the right to vote and to be eligible for office and the right to participate in the activities of society as well as rights concerning the environment.

40. The fundamental rights safeguarded in chapter II of the Constitution Act are the following:

Section 5: equality of all persons; prohibition of discrimination; equal treatment of children; equality of the sexes

Section 6: right to life, personal freedom, integrity and security; prohibition of capital punishment, torture and degrading treatment

Section 6 (a): prohibition of retroactive criminal law and the principle of legality of criminal law

Section 7: freedom of movement

Section 8: protection of private life, honour and home; secrecy of correspondence, telephone and confidential communication

Section 9: freedom of religion and conscience

Section 10: freedom of expression and the right to obtain information from public documents

Section 10 (a): freedom of assembly and demonstration; freedom of association

Section 11: the right to vote, to be eligible for office and to participate in the activities of society

Section 12: protection of property

Section 13: the right to education and culture

Section 14: linguistic rights; the right to use one's own language, whether Finnish or Swedish, before a court of law or other authority; the right of Sami, Roma and other groups to maintain and develop their own language and culture; the rights of users of sign language

Section 14 (a): everyone's responsibility for the natural world and its diversity; the right to a healthy environment

Section 15: the right to work and protection of the labour force

Section 15 (a): social rights; the right to necessary subsistence and care, the right to security of basic livelihood and to adequate social welfare and health services, promotion of the health of the population; support of those who are responsible for the care of the child; promotion of housing

Section 16: guarantees of a fair trial and public administration.

41. The reform strove to increase the direct applicability of fundamental rights before courts and other authorities, e.g. by wording the provisions more precisely. In addition, the conditions for restricting fundamental rights were tightened and supervision of fundamental rights clarified by including basic provisions concerning them in the Constitution Act.

42. According to section 16 (a), subsection 2, of the Constitution Act, it is possible to prescribe by an Act of Parliament temporary exemptions to fundamental rights which are consistent with international human rights obligations and of a character necessary during an armed attack or other similar exceptional circumstances.

43. The relationship between domestic and international law is generally understood as having been resolved according to the dualistic model. The most frequently used method of implementing international treaties in Finland is incorporation either through an Act of Parliament in blanco or a Presidential Decree in blanco. The incorporating enactments usually state that the treaty provisions are in force domestically. Because of this, Finland can be said to represent de facto monism. The hierarchical status of the incorporating enactment determines the formal rank of an international agreement.

44. The basic provision regarding the division of powers in foreign policy is included in section 33 of the Constitution Act. It states that relations with foreign powers shall be determined by the President. Treaties with foreign powers must be approved by the Parliament insofar as they contain provisions which pertain to legislation or if they involve financial obligation.

45. Most of the international human rights treaties have been approved by the Parliament, i.e. they have been incorporated through an Act in blanco. Some of the human rights treaties, e.g. the International Covenant on Economic, Social and Cultural Rights, and the International Convention on the Elimination of All Forms of Racial Discrimination, were originally incorporated through a decree.

46. Domestic statutes shall be interpreted in accordance with human rights in order to avoid conflict between domestic legislation and human rights instruments.

47. It is possible to refer directly to the provisions of the human rights treaties before courts and authorities, in the same way as to national statutes.

48. The Parliamentary Ombudsman was the first Finnish authority to systematically use international human rights treaties in decision-making. During the last few years Finnish judges have become more aware of the existence and applicability of human rights instruments. A growing case-law has been emerging, and now human rights treaties are invoked by courts even more often than constitutional provisions.

49. The Parliamentary Committee for Constitutional Law has pointed out that "international treaty obligations shall be taken into consideration in the practical legislative work and action of authorities ...".

50. The Chancellor of Justice and the Parliamentary Ombudsman are responsible for supervising the implementation of fundamental rights and international human rights, according to section 46, subsection 1, and section 49, subsection 2, of the Constitution Act. According to section 46 of the Parliament Act, it is the task of the Committee for Constitutional Law to deliver an opinion on the legislative proposals' conformity with the Constitution Acts and their relation to international human rights agreements.

IV. INFORMATION AND PUBLICITY

51. When the human rignts conventions as well as other international conventions enter into force, they are published in the Finnish and the Swedish languages and at least in one other language (usually English) in the Treaty Series of the Statutes of Finland. Furthermore, of the United Nations conventions the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Universal Declaration of Human Rights have been published in the Statutes Book of Finland in the Finnish language, and, except for the Women's Convention, also in the Swedish language. The Statutes Book of Finland is the only compiled book of the Acts and decrees in force and it is published yearly in the Finnish language and every second year in the Swedish language.

52. Texts of international human rights conventions, with a few exceptions, have been published in booklets by the Ministry for Foreign Affairs (Publication Series of the Ministry for Foreign Affairs). They are published in Finnish, Swedish and/or English. These booklets have been widely distributed among authorities, organizations, etc. and they are available to all interested. The non-governmental organization, Finnish League for Human Rights, has published a book called Human Rights. One Hundred International Instruments, which includes the texts of these instruments in Finnish.

53. According to the Act on the Right to Use the Sami Language before the Authorities, which entered into force on 1992, Acts, decrees and other decisions affecting the Sami can be translated into and published in the Sami language. Some human rignts instruments, such as the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination, have already been translated into the Sami language and Finland is at present translating the International Covenant on Economic, Social and Cultural Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms and the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities into the Northern Sami language.

54. Periodic reports are prepared at the Ministry for Foreign Affairs. They are prepared in cooperation with other authorities, mainly other ministries, and NGOs have an important role in the work. The Ministry of Foreign Affairs asks the authorities and NGOs to express their opinion on what information the report should include. Before the report is submitted to the United Nations, a public hearing has usually been organized in order to debate the subject.

55. The reports are published in the Finnish language in the Publication Series of the Ministry for Foreign Affairs. Some reports have been published also in English. The publications have been widely distributed to the authorities, organizations, universities, libraries and to the Parliament. They are also on sale in some bookshops.